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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2009-48

12 ANA MARIA WOOLWORTH
aka ANA MARIA ECHEVERRIA
13 4970 La Calandria Way
Los Angeles, CA 90032

A C C U S A T I O N

14 Registered Nurse License No. 565751

15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Ruth Ann Terry, M.P.H, R.N (Complainant) brings this Accusation solely
20 in her official capacity as the Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs (Board).

22 2. On or about March 30, 2000, the Board of Registered Nursing issued
23 Registered Nurse License No. 565751 to Ana Maria Woolworth aka Ana Maria Echeverria
24 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to
25 the charges brought herein and will expire on September 30, 2009, unless renewed.

26 JURISDICTION

27 3. This Accusation is brought before the Board, under the authority of the
28 following laws. All Section references are to the Business and Professions Code unless

1 otherwise indicated.

2 4. Section 118, subdivision (b), provides that the suspension / expiration /
3 surrender / cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
4 disciplinary action during the period within which the license may be renewed, restored, reissued
5 or reinstated.

6 5. Section 490 states:

7 “A board may suspend or revoke a license on the ground that the licensee has
8 been convicted of a crime, if the crime is substantially related to the qualifications, functions, or
9 duties of the business or profession for which the license was issued. A conviction within the
10 meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo
11 contendere. Any action which a board is permitted to take following the establishment of a
12 conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has
13 been affirmed on appeal, or when an order granting probation is made suspending the imposition
14 of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the
15 Penal Code.”

16 6. Section 2750 provides, in pertinent part, that the Board may discipline any
17 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
18 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

19 7. Section 2764 provides, in pertinent part, that the expiration of a license
20 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
21 licensee or to render a decision imposing discipline on the license. Under Section 2811,
22 subdivision (b), the Board may renew an expired license at any time within eight years after the
23 expiration.

24 8. Section 2761 states, in pertinent part:

25 “The board may take disciplinary action against a certified or licensed nurse or
26 deny an application for a certificate or license for any of the following:

27 “(a) Unprofessional conduct, which includes, but is not limited to, the following:

28

1 “(f) Conviction of a felony or of any offense substantially related to the
2 qualifications, functions, and duties of a registered nurse, in which event the record of the
3 conviction shall be conclusive evidence thereof. . . .”

4 9. Section 2762 states, in pertinent part:

5 “In addition to other acts constituting unprofessional conduct within the meaning
6 of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed
7 under this chapter to do any of the following:

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9 “(b) Use any controlled substance as defined in Division 10 (commencing with
10 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as
11 defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or
12 injurious to himself or herself, any other person, or the public or to the extent that such use
13 impairs his or her ability to conduct with safety to the public the practice authorized by his or her
14 license.

15 “(c) Be convicted of a criminal offense involving the prescription, consumption,
16 or self-administration of any of the substances described in subdivisions (a) and (b) of this
17 section, or the possession of, or falsification of a record pertaining to, the substances described in
18 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence
19 thereof. . . .”

20 10. California Code of Regulations, title 16, section 1444 states, in pertinent
21 part:

22 “A conviction or act shall be considered to be substantially related to the
23 qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the
24 present or potential unfitness of a registered nurse to practice in a manner consistent with the
25 public health, safety, or welfare. . . .”

26 11. Section 125.3 provides, in pertinent part, that the Board may request the
27 administrative law judge to direct a licensee found to have committed a violation or violations
28 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and

enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Convictions of Substantially Related Crimes)

12. Respondent is subject to disciplinary action under Sections 490, and 2761, subdivision (f), as defined in California Code of Regulations, title 16, section 1444, in that Respondent was convicted of crimes substantially related to the qualifications, functions or duties of a registered nurse because to a substantial degree it evidences her present or potential unfitness as a registered nurse to practice in a manner consistent with the public health, safety, or welfare. The convictions are as follows:

a. DUI > 0.08%

On or about April 25, 2005, in a criminal proceeding entitled *The People of the State of California v. Ana Maria Woolworth* in Los Angeles County Superior Court, Metropolitan Courthouse, Case No. 5MT02163, Respondent was convicted on her plea of *nolo contendere* for violating Vehicle Code section 23152(b) (drive a vehicle while having a 0.08% or more blood alcohol level), a misdemeanor.

The circumstances of the conviction are that on or about March 10, 2005, Los Angeles Police Department officers responded to a traffic collision wherein Respondent's was arrested after she failed field sobriety tests. Respondent's blood alcohol level tested at 0.19%.

b. DUI > 0.08%

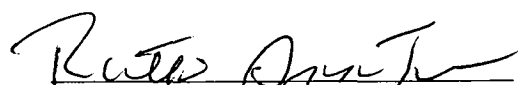
On or about October 11, 2002, in a criminal proceeding entitled *The People of the State of California v. Ana Maria Woolworth* in Los Angeles County Superior Court, Burbank Courthouse, Case No. 2BU03251, Respondent was convicted on her plea of *guilty* for violating Vehicle Code section 23152(b) (drive a vehicle while having a 0.08% or more blood alcohol level), a misdemeanor.

The circumstances of the conviction are that on or about September 29, 2002, Burbank Police Department officers on routine patrol initiated a traffic stop on Respondent for driving her vehicle at an unsafe speed on wet and slick roads. After Respondent failed field sobriety tests, she was arrested. Respondent's blood alcohol level tested at 0.13/0.14%.

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3. Taking such other and further action as deemed necessary and proper.

DATED: 9/8/08


RUTH ANN TERRY, M.P.H, R.N
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California

Complainant

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